

REMARKS/ARGUMENTS

Favorable reconsideration of this application, as presently amended and in light of the following discussion, is respectfully requested.

Claims 1-3, 5-17, and 19-28 are pending in this case, Claims 1, 5, 16, 19, and 28 having been currently amended; and Claims 4 and 18 having been cancelled without prejudice or disclaimer. Support for amended Claims 1, 5, 16, 19, and 28 can be found, for example, in the original claims, drawings, and specification as originally filed. No new matter has been added.

In the Office Action of April 14, 2010, Claims 1-28 were rejected under 35 U.S.C. § 102(e) as anticipated by Kragt et al. (U.S. Patent Publication No. 2007/0100755; hereinafter “Kragt”).

In response to the rejection of Claims 1-28 under 35 U.S.C. §102(e) as anticipated by Kragt, Applicants have amended Claim 1 to include features of Claim 4 (which was indicated as reciting allowable subject matter during the interview of April 28, 2010). Applicants respectfully submit that amended independent Claim 1 recites novel features clearly not taught or rendered obvious by the applied reference.

Independent Claim 1 is directed to a content reproduction apparatus including, *inter alia*:

... a storage section used for storing a source-ID list showing a source ID of every content allowed to be reproduced, a recorder ID number, and method identification information each used for identifying a method of controlling reproduction of each content, said ***source ID includes said recorder ID number, that is generated as an ID unique to each content-processing apparatus having a ripping section for ripping out a content from a recording medium;***

a reproduction control method determination section for determining a method of controlling reproduction of a content on the basis of said method identification information;

a first reproducibility determination section, which is used for producing a result of determination as to whether or not the content to be reproduced is reproducible by determining whether or not a source ID added to said content is a source ID included in said source-ID list in a case that said reproduction control method determination section determines that said method to control reproduction of the content is a first reproduction control method;

a second reproducibility determination section, which is used for producing a result of determination as to whether or not the content to be reproduced is reproducible on the basis of usage rule information described in a license issued to said content in a case that said reproduction control method determination section determines that said method to control reproduction of the content is a second reproduction control method; and

a reproduction execution section for reproducing the content with its source ID determined by said determination result produced by said first reproducibility determination section or said second reproducibility determination section to be the reproducible content.

Independent Claims 16 and 28 recite substantially similar features as independent Claim 1. Thus, the arguments presented below with respect to independent Claim 1 are also applicable to independent Claims 16 and 28.

As discussed during the interview of April 28, 2010, Kragt fails to teach or suggest that “said source ID includes said recorder ID number, that is generated as an ID unique to each content-processing apparatus having a ripping section for ripping out a content from a recording medium.” Page 4 of the April 14, 2010 Office Action cited paragraphs [0017] and [0028] for the above features. However, Applicants respectfully submit that paragraphs [0017] and [0028] of Kragt merely describe a digital rights management system module 112, but do not describe that the digital rights management system module 112 generates a recorder ID number that is unique to each content-processing apparatus having a ripping section for ripping out a content from a recording medium. Hence, Applicants respectfully submit that paragraphs [0017] and [0028] of Kragt, and any other portion of this reference,

fail to teach or suggest "said source ID includes said recorder ID number, that is generated as an ID unique to each content-processing apparatus having a ripping section for ripping out a content from a recording medium."

Thus, Applicants respectfully submit that independent Claims 1, 16, and 28 (and all claims depending thereon) patentably distinguish over the cited reference.

Accordingly, Applicants respectfully request that the rejection of Claims 1-28 under 35 U.S.C. §102(a) as anticipated by Kragt be withdrawn.

Consequently, in view of the present amendment, and in light of the above discussion, the pending claims as presented herewith are believed to be in condition for formal allowance, and an early and favorable action to that effect is respectfully requested.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.



Bradley D. Lytle
Attorney of Record
Registration No. 40,073

Customer Number

22850

Tel: (703) 413-3000
Fax: (703) 413 -2220
(OSMMN 08/07)

Derek P. Benke
Registration No. 56,944